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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

8 SUZANNE M. KING,)
9 Plaintiff,) CIVIL NO. 3:19-cv-05524-RSM
10 vs.) ORDER
11)
12 COMMISSIONER OF SOCIAL SECURITY,)
13 Defendant)
14)

15 This matter comes before the Court on the Plaintiff's motion for attorney's fees pursuant
16 to the Equal Access to Justice Act, 28 U.S.C. § 2412

17 The motion is timely as Plaintiff had a 60-day appeal period, plus the 30-day period in
18 §2412(d)(1)(B), from the entry of final judgment on December 6, 2019 to file a timely EAJA
19 application. *Akopyan v. Barnhart*, 296 F.3d 852 (9th Cir. 2002); *Melkonyan v. Sullivan*, 501 U.S.
20 89, 94-96 (1991); FED. R. App. P. 4(a). Furthermore, upon review of the record, the Court
21 determines that Plaintiff is the prevailing party, the government's position was not substantially
22 justified, and that the itemization of attorney time spent is reasonable. In short, the requirements
23 of § 2412(d)(1)(B) are met.
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1 Having thoroughly considered the Plaintiff's briefing and the relevant record, the Court
2 hereby GRANTS the motion and awards Plaintiff \$5,241.60 in attorney's fees, subject to any offset
3 allowed under the Treasury Offset Program. *See. Astrue v. Ratliff*, 560 U.S. 586, 589 – 590 (2010).
4 Payment of EAJA fees shall be via check sent to Plaintiff's attorney David Oliver & Associates,
5 2608 S. 47th Street, Suite C, Tacoma, WA 98409. Pursuant to *Ratliff*, the award shall be payable
6 to Plaintiff's attorney, David Oliver & Associates, if the Commissioner confirms that Plaintiff
7 owes no debt to the Government through the Federal Treasury Offset Program.

8 For the foregoing reasons, Plaintiff's motion for attorney fees is GRANTED;

9 DATED this 27th day of March 2020.

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12 RICARDO S. MARTINEZ
13 CHIEF UNITED STATES DISTRICT JUDGE

14 Presented by:

15 S/David P. OLIVER
16 David P. Oliver,
17 Attorney for Plaintiff
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